

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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UNITED STATES OF AMERICA,  
Plaintiff,

vs.

CR. NO. 08-20378

BRIDGES SUTTON MCRAE,  
Defendant.

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DEFENDANT'S POSITION WITH RESPECT TO USING AGGRAVATED ASSAULT TO  
DETERMINE BASE OFFENSE LEVEL

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Comes now the Defendant, Bridges Sutton McRae, and gives notice that he agrees with the position of the government with respect to the use of aggravated assault to determine base offense level. The defendant would submit that simple assault is the appropriate consideration for the base offense level.

Respectfully submitted this 18<sup>th</sup> day of March, 2011.

THE LAW OFFICE OF MASSEY, MCCLUSKY & SWANSON  
3074 East Street, Memphis, TN 38128  
(901)384-4004

*s/ Lorna S. McClusky*  
B.P.R. No.16803

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing has been served, via electronic mail, upon Steve Parker, AUSA, via electronic delivery, on this 18<sup>th</sup> day of March, 2011.

*s/ Lorna S. McClusky*